

House File 754

H-1193

1 Amend House File 754 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 88.5, Code 2021, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 12. *Infectious disease.* The commissioner
7 shall promulgate standards for mitigation of medical
8 emergencies relating to infectious disease, including but
9 not limited to COVID-19 as defined in section 686D.2. The
10 standards shall apply to all industries but may include
11 industry-specific standards as deemed appropriate by the
12 commissioner. The standards shall specifically address
13 personal protective equipment to be provided to employees.
14 Such standards shall minimize to the greatest extent possible
15 hazardous situations likely to cause employee exposure to
16 infectious disease, including but not limited to employees
17 working in close proximity without proper protective equipment
18 and safety procedures.

19 Sec. 2. Section 88.6, subsection 5, Code 2021, is amended
20 to read as follows:

21 5. *Special inspections.* Any employees or authorized
22 employee representative who believes that a violation of a
23 safety or health standard exists that threatens physical harm,
24 or that an imminent danger exists, may request an inspection
25 by giving notice to the commissioner or the commissioner's
26 authorized representative of such violation or danger. Any
27 such notice shall be reduced to writing, shall set forth
28 with reasonable particularity the grounds for the notice,
29 and shall be signed by the employees or authorized employee
30 representative, and a copy shall be provided the employer or
31 the employer's agent no later than at the time of inspection,
32 except that upon the request of the person giving such notice
33 the person's identifying information and the identifying
34 information of individual employees referred to in the notice
35 shall not appear in such copy or on any record published,

1 released, or made available. If, upon receipt of such
2 notification, the commissioner determines that there are
3 reasonable grounds to believe that such violation or danger
4 exists, the commissioner shall make a special inspection in
5 accordance with the provisions of **this section** as soon as
6 practicable, to determine if such violation or danger exists.
7 The commissioner shall prioritize special inspections relating
8 to possible violations of standards promulgated pursuant to
9 section 88.5, subsection 12. If the commissioner determines
10 that there are no reasonable grounds to believe that a
11 violation or danger exists, the commissioner shall notify the
12 employees or authorized employee representative in writing
13 of such determination. For purposes of **this subsection**,
14 *"identifying information"* means specific personal information
15 including, but not limited to, the person's name, home address,
16 telephone number, social security number, and handwriting and
17 language idiosyncrasies. In circumstances when the release of
18 any fact may be used to identify the person, that fact shall
19 not be released.

20 Sec. 3. EMERGENCY RULES. The labor commissioner shall adopt
21 emergency rules under section 17A.4, subsection 3, and section
22 17A.5, subsection 2, paragraph "b", to promulgate standards
23 required pursuant to section 88.5, subsection 12, as enacted by
24 this Act, relating to COVID-19, as defined in section 686D.2,
25 and the rules shall be effective immediately upon filing unless
26 a later date is specified in the rules. Any rules adopted
27 in accordance with this section shall also be published as a
28 notice of intended action as provided in section 17A.4.

29 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
30 importance, takes effect upon enactment.>

31 2. Title page, by striking lines 1 and 2 and inserting
32 <An Act providing for standards for mitigation of infectious
33 disease under the state occupational health and safety law,
34 making penalties applicable, and including effective date
35 provisions.>

HUNTER of Polk